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WHOLE NUMBER 18,044.

RICHMOND, VA., FRIDAY, OCTOBER 15, 1909.

THE WEATHER TO-DAY—RAIN.

PRICE TWO CENTS

REPORT DECARES CITY WAS ROBBED

Holds Alvey Responsible;
Suit to Be Filed
for Recovery.

CHARGE GRAFT IN GRAIN ORDERS

Witness Testifies That Alvey
Shook Hands With Negro
After Latter Was Acquitted
in Police Court—All Other
Bills Held Up Because
of Errors in Weights.

AFTER a full investigation of all the facts connected with the paying stone graft at the city stables, and after hearing all witnesses offered, the Street Committee concluded its work last night and reported to the Council that the city had been systematically robbed for a period of probably two years by the practice of weighing in rocks with grain for delivery to the stables, the committee estimating the amount out of which the city has been defrauded by this practice at about \$175,000.

The committee, by resolution, recommended that the city be paid to Edward Alvey, trading as Alvey Brothers, and that the City Attorney be directed to proceed in the proper manner through the courts against him for the recovery of the residue over and above the testimony claimed to be due. After the conclusion of the evidence the committee went into executive session to formulate its report, the exact text of which was not made public last night.

Shook Hands With Negro.

The feature of the session, which lasted until nearly midnight, was the testimony of J. E. Heindl, a city concrete inspector, who not only told of an instance of his own knowledge when paying stones had been thrown from a wagon marked Alvey Brothers, and driven by Jim Robinson, en route to the Reservoir stables of the Street Department last April, but also testified that on the occasion of the trial of Robinson, in the Police Court, on a warrant against Alvey Brothers, he saw Alvey shake hands with Robinson, in which the negro was acquitted, Alvey offering no witnesses in support of his charge, that just after the action of the court in acquitting the negro, the witness saw Alvey shake hands with Robinson in the corridor of the City Hall, under the basement stairs, with every evidence of satisfaction and mutual congratulation over the acquittal of the driver.

Beyond the testimony of Mr. Heindl and the statement of City Accountant George S. Crenshaw, who produced evidence to show that the city had purchased from Alvey Brothers, in the past two years, and who brought out two errors, or alleged errors, each in Alvey's favor, of 1,000 pounds of grain for which the city has paid, and for which he claimed it should be reimbursed, there was little in the testimony brought out that was new to the investigators.

Sidney R. Gates, a grain broker and friend and customer of Alvey Brothers, contradicted the statement of the negro in his written confession, saying that he had never seen Robinson on the day of the discovery of the fraud. He thought a small amount of grain could readily have been taken from each bag, but that he couldn't do it, saying that it would be necessary for him to stop somewhere.

Detective Sergeant Gibson corroborated the evidence of other detective officers as to the correctness of the written confession which was made and taken down in his hearing. He also told of Alvey's detentions, first warrant for the negro's arrest, the warrant on which he was later acquitted, and said that Alvey had told him at the time that he expected that the negro had "skipped," and that he had told him about the stables having been seen on the wagon. The detective corroborated Mr. Gates' statement that he had not seen the negro that day.

How It Was Weighed.

C. R. Johnson, eighteen years old, shipping clerk in a grain elevator, said he was in charge of the weighing and loading at the car, and that he had seen the bags sewed up and delivered to Robinson, the load being 4,180 pounds, and weighing on the city scales, with the 100 pounds of rock or 4,190 pounds. He had destroyed his memorandum of the weight of each bag, and the ticket for the load was made out at the office, not at the car.

J. E. Hitchenson, a bookkeeper for Alvey Brothers, said he had had nothing to do with the weighing of the grain, but had made out the load ticket on memorandum furnished by Johnson. On the Friday previous he said he had found that the stables had been in condition, probably drunk, and on Monday he came and asked off, saying that his arm hurt him, and that he didn't come back to work until Wednesday morning, the day of the discovery of the rocks on the weighing of grain.

About the Hand-Shaking.
J. E. Heindl, employed by the Water Committee as a concrete inspector on the new settling basin dump, and who lives at the corner of Meadow and Main Streets, told of the throwing of rocks off a load from Alvey's, driven by Robinson, on April 30 last, when eleven large paving stones had been thrown off. He had reported the matter to the Street Committee.

SPECIAL MASTERS TO CONDUCT SALE

Final Decree Signed by Judge
Waddill in Norfolk and
Southern Railway Case.

Under a decree entered yesterday in the United States District Court, Judge Edmund Waddill, Jr., pursuant to foreclosure proceedings, filed July 1, 1909, by the Trust Company of America, in New York, ordered the sale of the property, assets, rights, franchises and privileges of the Norfolk and Southern Railway, a corporation existing under the laws of Virginia and North Carolina. The purpose of the sale is to end the existing controversy.

Harry K. Walcott and E. R. Baird, Jr., of Norfolk; Thomas J. Jarvis, of Greenville, N. C., former Governor of his State, and Frederick Hoff, of New York, are appointed Special Masters to make and conduct the sale, and to deliver the deed or deeds of conveyance or assignment and the transfer of property sold, to the purchaser thereof, on an order of court confirming the transaction, and approving the deeds. Each Special Master will be required to give \$100,000 bond, payable to the United States of America, with surety to be approved.

The sale will be made at public auction, upon the premises of the Park Avenue station and depot of the Norfolk and Southern Railway, corner of Park and Claiborne Avenues, in Norfolk.

MAY TAKE APPEAL

Fergus Reid, bondholder in Norfolk and Southern, Confers with Attorney.
NORFOLK, VA., October 14.—Fergus Reid, minority bondholder in the Norfolk and Southern Railway, fighting for delayed interest on overdue bonds, was today in conference with his attorneys on the subject of an appeal from the decision at Richmond by Federal Judge Waddill, who denied his amended petition, the filing of which would have resulted in the desired delay of sale.

Without an appeal the Norfolk and Southern will be sold here after four weeks' advertisement. The Perry-Thorne-Chadbourne interests, at New York, which are expecting to buy, in the road and reorganize it, have laid their financial plans to lift the property from the receivers' hands January 1, 1910.

UCHIDA GOING TO JAPAN

Will Consult Home Government Before Coming Here.
WASHINGTON, D. C., October 14.—The fact that Baron Uchida, Japanese Ambassador to Austria-Hungary, is to leave for Japan, has given rise to an impression that he may not come here. This impression is not entertained at the Japanese embassy, where the officials say they know of no reason why the plans of the Japanese government should be changed.

PELLAGRA DISCUSSED

Physicians Still Believe Disease Caused by Corn.
ST. LOUIS, October 14.—Pellagra, the Italian disease, which has caused such a widespread discussion by its appearance in the United States, was the leading subject at the concluding day's session of the Mississippi Valley Medical Association. The principal paper read by C. H. Lavinder, of the Marine Hospital Service, and cases were exhibited by C. M. Watson, of Columbia, S. C., and J. J. Radford, of Detroit.

SUSPECTS ARE HELD

"Herb Doctor" and Chauffeur Believed to Be Guilty of Murder.
FALL RIVER, MASS., October 15.—After a rigorous examination lasting five hours, the Fall River police announced shortly after midnight that they were holding "Professor" Hill, an "herb doctor," and Wilfred Thibault, a chauffeur, in connection with the death of the woman whose body was found at Tiverton, and whom they believe to be Miss Amelia St. Jean, of this city.

JAIL A DISGRACE TO COMMUNITY

Dr. Levy Declares That
It Is Unfit Even for
Prisoners.

COUNCIL URGED TO BUILD ANOTHER

Subcommittee Recommends
Erection of New Structure on
Seabrook Warehouse Site,
With Room There For
Police Court—Armory
Change Rejected.

GAIN the unsavory conditions at the City Jail are being called to the attention of the City Council. This time charges previously made are more than substantiated by written reports made by the Building Inspector, the City Electrician and the Chief Health Officer, all of whom showed that the state of affairs could not be much worse from any viewpoint. The result was that the Subcommittee of the Board of Public Works last night recommended the erection of a new jail with a Police Court in connection on the site of the old Seabrook Warehouse, the committee holding that the cost of repairs to the present jail would be more than the interest on a bond issue of \$100,000, the estimated cost of a new jail and Police Court, and that the present building was unfit for use.

The subcommittee also recommended that an appropriation of \$1,000 be made and placed to the credit of the Grounds and Buildings Committee for competitive designs for the new building. It was also decided that the reports and the proceedings of the committee be forwarded as soon as possible to Judge Witt, of the Hustings Court, so that he might acquaint himself with the facts and take such action as he deemed best.

MENACE TO HEALTH.

At the request of the committee, Chief Health Officer Levy presented an exhaustive report of conditions in the jail as he found them, from a sanitary standpoint, after an inspection in company with the Building Inspector, the Chief of the Fire Department, and the City Electrician. His conclusions were that in every respect the jail could not be worse, and that it was a menace to the health and morals of every man who spent a day there. Reports of the other officers were not more favorable.

Unit for Prisoners.

"On the occasion of our visit every one of us felt that no person could remain as a prisoner in the City Jail even for one day without suffering in body, mind and spirit. The conditions from the hour spent in inspection, I do not hesitate to state that it is my candid opinion that no person can be confirmed in the City Jail under present conditions without suffering in body, mind and spirit. Such a statement will of necessity appear radical and, I fear, even sensational, but this is due to actual conditions with which we have to deal, conditions so bad that it would be impossible to put a gauge too strong in describing them."

"The visit to the jail," he continued, "is due not only to defective ventilation, but also to the condition of the prisoners and their cells. Most of the prisoners themselves are unclean, and their cells are littered with a mass of trash, old food, clothes, rags and other stuff that should not be allowed in the cells."

The mattresses and bed clothes, he said, were "fit only for the rabble or better for the furnace," being saturated with an accumulation of filth and dirt. He recommended the cleansing and disinfecting of each prisoner and the construction of a court in which they could exercise. Pointing out the penitentiary, a part of which is older than the City Jail, he said that the conditions of cleanliness and order of the prisoners in other jails towards improving the sanitary conditions while in prison, and that the prisoners spend their days in idleness.

DETROIT TIGERS DEFEAT PIRATES IN UP-HILL GAME

Wonderful Playing Stops
Pittsburg's Fear-Inspiring Rally.

CONTEST IS FULL OF SENSATIONS

National Leaguers Lead Off With
Three Runs, But Are Passed
by Jennings's Men, and
Honors in Battle for
Championship Are
Again Tied.

DETROIT, MICH., October 14.—Detroit kept in the great fight for the world's baseball championship by defeating Pittsburgh 5 to 4 today in a battle full of sensational and thrilling situations, and to-night the two teams are tied, with three victories each. The seventh and deciding game will be played here Saturday.

A fear-inspiring rally in the ninth inning by Pittsburgh was stopped after one run was scored, but three Detroit players were injured in stemming the rush of Pittsburgh runs to the plate. Tom Jones, the Detroit first baseman, was the most seriously hurt. His neck and spine were injured in a collision with Wilson at first base, and this resulted in Pittsburgh scoring its run of that session. Charles Schmidt, the catcher, had his right leg badly smashed in blocking Abstein off the plate in the final inning. The play that finished the threatening rally of the National League champions resulted in the injury of George Moriarty, when he caught Abbatichio's strike-out in the same inning. Moriarty's left knee was badly hurt when Wilson slid into the base.

It is practically certain Jones will be unable to play on Saturday's decisive game. Schmidt, it is thought, will be able to play, and there is no doubt that Moriarty will be in the decisive battle.

The Pittsburgh team got away in the lead by smashing out three runs on four successive hits in the first inning. After that the great Mullen was invincible until the ninth, when he weakened enough to get into a dangerous situation, only to extricate himself by another marvelous exhibition of pitching.

Detroit put up another of its wonderful uphill games. The American League champions scored one run in the first inning, and batted Willis Hall, the pitcher, for him. Gibson grounded the slab by which he first, but the fourth and one more in the fifth by terrific batting. Camnitz succeeded Willis, and Detroit batted him hard enough to get another run in the sixth inning. Camnitz was withdrawn when Flyatt batted for him in the seventh, and a veteran Phillippe stopped the Detroit scoring.

The ninth inning rally of Pittsburgh teemed with tense moments and dramatic incidents. At one point the meant game for him. Gibson grounded the slab by which he first, but the fourth and one more in the fifth by terrific batting. Camnitz succeeded Willis, and Detroit batted him hard enough to get another run in the sixth inning. Camnitz was withdrawn when Flyatt batted for him in the seventh, and a veteran Phillippe stopped the Detroit scoring.

Abstein was out when Schmidt blocked him off the plate, and tagged him out. The Detroit catcher was badly spiked. He continued gamely, however, and few in the crowd knew that he had been injured.

Rises to Occasion.

Manager Clarke sent Abbatichio in to bat for Phillippe. With Wilson at second and Gibson on first, a hit by Abbatichio would have scored at least three runs. Here it was where Mullen arose to the occasion and made himself another niche in the Detroit baseball hall of fame.

Abbatichio was a stubborn batter, and it required nearly everything Mullen had to strike him out. On the third hit to Wilson tried to steal third, but was caught, Schmidt to Moriarty, ending the game with a victory for Detroit.

The waning interest in the series was clearly shown by the fact that only 10,655 persons saw the game. Hans Wagner played a marvelous game in the field, but made only one hit in four times at bat. Mullen, Schmidt, Crawford and Bush were the bright shining stars for Detroit.

CRANE'S CUSTING IS MADE COMPLETE

President Taft Accepts
Resignation of Minister
to China.

ACTION OF KNOX FULLY UPHELD

Deposed Diplomat Gives Out
Statement in Which He Again
Slaps at Secretary—Believes
His Humiliation Greater
Than He Should Be
Made to Bear.

WASHINGTON, D. C., October 14.—All doubt as to what action the President would take with respect to the resignation of Charles R. Crane, minister designate to China, was dispelled by the receipt to-day of a dispatch from President Taft addressed to his secretary, Mr. Carpenter, directing him to convey to Mr. Crane announcement of the fact that the resignation had been accepted.

The telegram was dated Prescott, Arizona, October 13, and reads as follows: "Convey to Mr. Crane the following communication: 'I concur in the letter under date of October 12, which the Secretary of State has addressed to you, and I greatly regret that the circumstances found to exist by him make it necessary for me to accept your resignation.'"

Later, Mr. Crane issued this statement: "I am greatly relieved by the President's decision. There has been no minute since I learned the attitude of the Department of State when I have not contemplated the possibility of a continuance of my official relations with the deepest repugnance. Nevertheless, I have felt that my obligation to the President was to permit him to decide the issue. I have appreciated fully what would be involved in a decision to prolong my stay in this country. I have realized also the impossibility of his securing complete information at this time. He has chosen to base his decision upon the 'circumstances' found by the Secretary of State."

Personal Humiliation.

"I accepted the Chinese mission at his request and solely because of assurance that I could be and would be permitted to be of service to the country in a constructive work of the greatest importance to it and of the greatest interest to me. It has been made perfectly clear that conditions here were not and are not such as to make this possible.

"I think I should state at this time that until I arrived here last Sunday I had never seen the newspaper article which is made the excuse for my recall, nor had I heard that such an article had been published, and at my interview with the Secretary of State the description of its character and consequence then given to me, and assumed full responsibility for my connection with it, purely incidental as that connection was."

Mr. Crane left here to-day at 3 o'clock for New York.

VISIT ALONG COAST

Many Points on Seaboard Will See
Torpedo Flottilla.
WASHINGTON, D. C., October 14.—A trip to various coastal points of the Atlantic Ocean to participate in local celebrations has been arranged for the torpedo boats Stringham, Dupont, Bidler and others of the Atlantic torpedo flotilla. From Charleston, S. C., they are to go to Savannah from November 1 to 7 to take part in a carnival. The next day they go to Wilmington, to be there during the President's visit. Later in the month, from November 22 to 27, the boats are to be at Jacksonville, Fla., where a carnival is to be held. After these boats get back to Charleston they will be placed in reserve. The other boats of the Atlantic flotilla, eight in all, are to be placed in reserve at Charleston upon the arrival there, which is expected to be early in November.

BRAVED DANGER IN CIVIL WAR

First Sweetheart of Sam Houston Dies at Memphis.
MEMPHIS, October 14.—Mrs. L. M. V. Johnson, first wife of Sam Houston, former Governor of Tennessee and Texas and hero in the war with Mexico, is dead, aged eighty. The end came here where, here, Mrs. Johnson was a noted figure in religious circles. During the Civil War she braved danger when crossing the Atlantic, and she was wounded at the battle of New Hope Church, Georgia, May 31, 1861. Her early life was spent in Nachitoches, Tex. She was born in Columbia, Tenn.

REAR ADMIRAL DIES

Robert W. Milligan Passes Away at Annapolis.
ANNAPOLIS, MD., October 14.—Rear Admiral Robert W. Milligan, U. S. N., retired, died suddenly to-night, aged sixty-five years. He was chief engineer of the battleship Oregon when she made her remarkable run from the Pacific coast to Santiago, Cuba, during the war with Spain, and for his work at that time was advanced five numbers in his grade. Previously he had been commandant of the Norfolk Navy Yard.

MAY MOVE SOUTHWARD

Amateur Aeronauts Fear Windy Blasts of Maryland.
COLLEGE PARK, MD., October 14.—Windy blasts, which gave warning of the close of the aviation season, have prevented any flights at the government aerial training ground to-day. If the premature cold weather continues much longer it is possible that the training of the officers will be continued at some place in the South.

BARRILL BRANDS DR. COOK AS FAKER

Europe in Ferment
Over Fear Death
Demonstrations Continue and
Revenge for Anarchist's Execution Is Demanded

SAN SEBASTIAN, SPAIN, October 14.—(via Hemia, France).—The rigorous censorship prevents the transmission of news regarding the effect in the province of the execution of Ferrer. Only official reports of the court-martial and execution are allowed to be published here. Acts of reprisal against the clericals are anticipated. Great excitement is reported in the mining districts near Bilbao, where troops are concentrating to check possible disorders.

Demonstrations Continue.

PARIS, October 14.—The demonstrations in protest against the execution of Francisco Ferrer were very marked throughout France to-day, and from reports received to-night they still continue. Serious disturbances occurred at Lyons, where thousands of workmen, Socialists and anarchists paraded. Several city councils have adopted resolutions of protest against the execution.

The municipal council decided to name a street in Paris after Ferrer, and to assume the expense of educating two of his infant children.

Bomb in Barcelona.

CERBERE, FRANCE, October 14.—A bomb was found in Barcelona this afternoon. It was placed in a special wagon where it exploded without doing any harm. Judging from the contents of the bomb considerable damage would have been done if it had exploded in the streets.

The censorship at Barcelona has been redoubled. The body of Ferrer was buried this morning in the civil cemetery.

Rioters Repulsed.

TRIESTE, October 14.—Rioters advanced in the direction of the Spanish consulate about 10 o'clock this evening, being repulsed by police. They marched through the town, breaking windows. More than fifty arrests were made.

Boycott Declared.

BRUSSELS, October 14.—The Socialists to-day declared a boycott against Spanish goods, and resolved to keep the flag at their headquarters in protest against the execution of Ferrer at Barcelona.

Workmen Will Protest.

LIMA, PERU, October 14.—The United Front of workmen will hold a meeting to-morrow to protest against the execution of Ferrer at Barcelona.

Hundreds Arrested.

ROME, October 14.—More than 300 persons who attempted disorders to-day were arrested in the provinces of serious disorders occurred in Milan and Florence mobs attempted to erect barricades, which were destroyed by the police. Many persons were wounded.

Police Fire on Mobs.

VIENNA, October 14.—Serious Ferrer demonstrations occurred here to-night. There were angry cries against Spain and King Alfonso. The police were obliged to fire before the masses dispersed. The Spanish embassy is now under strong guard.

BOARD RECOGNIZED

Directors Now in Full Accord With
Hawley's Policies.
NEW YORK, October 14.—Following quickly upon the announcement made yesterday of a change in the directors of the Missouri, Kansas and Texas Railroad, a meeting of the executive committee of the board of directors was held in New York to-day, at which changes were made in line with the policy of the new management.

Edward H. Kelley, E. W. Kelley, Hans Winterfeld, Frank A. Vandervliet and Frank Trumbull were elected directors in place of Adrian H. Joline, R. W. Mullins, Henry C. Board and G. M. Jones. Charles G. Hedge, Messrs. Hawley, Tonkum, Winterfeld, Vandervliet, Trumbull and Kelley were named as the executive committee of the board.

Guide Declares He Did Not Reach Mt. McKinley Summit.

RECORD DOCTORED
TO SUIT PURPOSE

In Affidavit, He Tells How Cook
Promised to Pay \$200 Extra
if Guide Would "Be With
Him"—Diary Changed
to Support Story.

ANOTHER AFFIDAVIT

Photographer Swears That Guide
Barrill Is Telling Truth.
SEATTLE, WASH., October 14.—Walter B. Miller, of this city, photographer of Dr. Cook's Mount McKinley expedition, has made an affidavit corroborating that of Barrill in every detail. When shown Barrill's story to-day he said it was exactly the same as his own. His photographs and maps that fully confirm the statement of Barrill. The affidavits of Barrill, of the office of James M. Ashton, an attorney of Tacoma, Wash., who was retained by certain interests in New York, and to investigate the alleged ascent of the great Alaska peak by Dr. Cook.

NEW YORK, October 14.—The Globe this afternoon prints a copy of the affidavit made by Edwin M. Barrill, who accompanied Dr. Frederick A. Cook at the time he announced his reaching the summit of Mount McKinley. The affidavit was made before a notary public at Tacoma, Washington, on October 4, and had just been received in New York.

Barrill's affidavit states, in effect, that he was the only person present with Dr. Cook on the date when he claims to have reached the summit of Mount McKinley. He states that he did not in fact reach the summit, and the nearest point to the summit reached was at least fourteen miles distant from the summit of that mountain, the elevation at no time exceeding 10,000 feet.

Barrill's affidavit says at the outset that he was a hotelier in Buffalo in 1884, and now resides at Darby, Montana. He says he was the only party present with Dr. Cook when he claims to have reached the summit of Mount McKinley, and that he is the party referred to as Dr. Cook's guide on the expedition to Mount McKinley. He details his first meeting with Dr. Cook at Missoula, where the latter was acting as a lecturer at the University of Columbia University; R. W. Porter and others.

The organization of the Mount McKinley expedition is explained, the members consisting of Fred Plintz, a guide; Belmont Brown, an artist and naturalist; Dr. Cook, a geologist; a photographer, of Seattle; Samuel Beecher, who acted as cook for the party, and Barrill. The party sailed from Seattle May 17, 1906. Barrill recounts that at the start of the trip he prepared to keep an exact diary of the expedition, and that he marked Exhibit A, attached to the affidavit, as a pocket diary kept by me during all the time that Dr. Cook and I were together near Mount McKinley, and the same is a truthful record, with the exception of the entries and changes made by me therein under the orders of Dr. Cook.

The diary referred to by Barrill as attached to the affidavit is now in possession of the New York Globe. The affidavit, then proceeds as follows: "On the evening of September 9, 1906, Dr. Cook and I started alone for the purpose of exploring Mount McKinley. He informed me before starting that his purpose was to find a way for his sending in a mountain, and that he was a geologist, and intended to climb the mountain the following year.

Diary Changed.
"As shown by my diary, we took to the ice on September 9. From and including the 9th down to and including the 18th of September, I was so busy that I did not write, but was made under the direction of Dr. Cook. I also changed the dates during this time under his direction.

"The figures 12,000 on the date of September 12 were changed by me at the dictation of Dr. Cook. On September 12 Dr. Cook directed me to stop keeping my diary and leave the pages therein blank. I cannot now remember the exact dates of figures which I had in my diary before I was so directed to change them, but I know the elevation under what now appears September 12 was not to exceed 9,000, and I think it was 8,000.

"We quit any further attempts towards ascending the mountain on September 15, and returned to the boat, a gasoline launch named Bolschey, which lay in the water at the foot of the glacier. We reached the launch on September 19, having traveled twenty-six miles or more on the top of a glacier. The distance we quit climbing on September 15.

"On September 18, when at our first camp returned from the glacier, I doctored and changed the entries therein from and including September 9 down, and including September 12. These changes were made under the orders of Dr. Cook. From the 12th to the 16th was written at the first camp returning on the night of the 16th, and from the 16th to and including the 18th, was written in our last camp returning on the evening of the 18th, and written solely under the dictation of Dr. Cook, and just as he said. From and including September 12 down to the end of the diary the entries therein are my own. They cover the actual facts, and were not dictated to me by any one.

"Dr. Cook first told me to stop my diary on September 12, when we were in our fifth camp going up the glacier, and at or near the point which